

laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

13. (Amended) A method of manufacturing a floatation swimsuit comprising the steps of:

providing a form-fitting torso covering having an element retaining pocket, a right arm covering, a left arm covering, a left leg covering, and a right leg covering;

providing a unitary floatation element having a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range and a plurality of raised portions integrally carried by said backsheet for providing enhanced buoyancy to strategically selected areas of the wearer's body;

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element

positioning said unitary floatation element at a desired location adjacent said form-fitting torso covering;

securing said unitary floatation element within said element retaining pocket.

REMARKS

The Final Rejection dated March 26, 2002 rejects Claims 1, 4-9 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Darcy et al (U.S. Patent No. 5,823,838). Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darcy et al. in view of Khanamirian (U.S. Patent No. 6,235,661). Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darcy in view of Grunstein et al. (U.S. Patent No. 6,260,199). Claims 14 and 15 are allowed.

In response to the rejection of Claims 1, 4-9, 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Darcy et al. (U.S. Patent No. 5,823,838), Applicant has amended Claims 1 and 5 to include the limitation in allowed claim 14 of a sheet of fabric laminated so as to match the contours of the backsheet. The limitation further distinguishes the present invention from the prior art. Darcy et al. does not disclose a lamination of the backsheet and provides no means by which the backsheet is matched to the fabric. Accordingly, the claims are distinguished from the teachings of the prior art, and withdrawal of the rejection is requested.

In response to the rejection of Claim 2, Applicant has amended Claim 1, from which Claim 2 depends, to further distinguish the present invention from the prior art. Thus, Applicant respectfully submits that Claim 2 is now also in condition for allowance.

In response to the rejection of Claim 13 under 35 U.S.C. 103(a) over Darcy et al. in view of Grunstein, Applicant has amended Claim 13 to further distinguish the manufacture of the floatation suit of the present invention from the manufacture of the floatation suit in Darcy et al. by adding language regarding the presence of a laminated sheet to meet the contours of the backsheet of the present invention. This limitation is found in allowed claims 14. Thus, Applicant respectfully submits that Claim 13 is now in condition for allowance and respectfully requests indication thereof.

In response to the rejection of claim 7 over Darcy, et al., Applicant notes the following differences between the claimed invention and the Darcy reference. First, the buoyant material layer is distributed throughout the swimsuit of the present invention while it is strategically placed in discrete areas of the swimsuit of the Darcy reference. The Darcy reference fails to disclose placement throughout the swimsuit. Second, the Darcy reference fails to provide a buoyant material which does not include a plurality of separate "protuberances" for flexibility. See column 8, lines 21-67. Claim 7 provides for buoyant material which both includes "protuberances" and does not include them. Accordingly, the invention defined in claim 7 differs significantly from Darcy, et al., and Applicant respectfully requests withdrawal of the rejection.

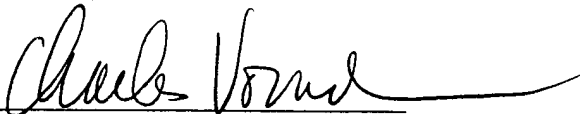
The rejections of claims 9 and 11 are now obviated for the reasons provided above

pertaining to claim 7. Withdrawal of these rejections is requested.

Applicants resubmit a marked-up copy of Figures 12 and 13 showing the proposed corrections in response to the Examiner's objection and formal Figures 12 and 13. No new matter is being added by these changes.

No additional fees are believed due in connection with this response. However, if a fee is deemed to be payable, please charge such fees due to deposit account No. 20-1507.

Respectfully submitted,

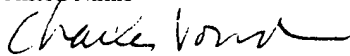
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I hereby certify that this correspondence is being deposited
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Box After Final, Washington, D.C. 20231 on May 29, 2002.

CHARLES VORNDRAN

Printed Name



Signature

Mark-Up Copy of Claims as Amended

1. (Amended) A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket, a right arm covering, a left arm covering, a left leg covering, and a right leg covering;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

2. The floatation swimsuit of Claim 1, wherein said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

4. The floatation swimsuit of Claim 1, wherein said plurality of raised portions

include an upper torso portion and a lower torso portion.

5. (Amended) A unitary floatation element for use in a floatation swimsuit, said floatation element comprising:

a backsheet contained within a torso covering including a right arm covering, a left arm covering, a left leg covering, and a right leg covering, said backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer;

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

6. The floatation swimsuit of Claim 5, wherein said plurality of raised portions include an upper torso portion and a lower torso portion.

7. A floatation swimsuit comprising:

a form-fitting torso covering including a right arm covering, a left arm covering, a left leg covering, and a right leg covering, said form-fitting torso covering including a distributed layer of buoyant material distributed substantially throughout for providing general buoyancy to the wearer, said distributed layer of buoyant material having

a thickness in a first particular range; and

a plurality of enhanced buoyancy regions integrally carried by said distributed layer of buoyant material in fixed positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said enhanced buoyancy regions comprising a buoyant material having a thickness substantially greater than that of said distributed layer of buoyant material and extending outwardly therefrom.

8. The floatation swimsuit of Claim 7, wherein said plurality of raised portions include an upper torso portion and a lower torso portion.

9. The floatation swimsuit of claim 7, further comprising a fastenable torso opening.

10. The floatation swimsuit of claim 9, wherein said fastenable torso opening includes a fastenable chest opening.

11. The floatation swimsuit of claim 9, wherein said fastenable torso opening includes a fastenable back opening.

12. The floatation swimsuit of claim 9, where said fastenable torso opening includes a fastener selected from the group consisting of a zipper, a hook and loop fastener, a button, a snap, a tie, and a strap.

13. (Amended) A method of manufacturing a floatation swimsuit comprising the steps of:

providing a form-fitting torso covering having an element retaining pocket, a right arm covering, a left arm covering, a left leg covering, and a right leg covering;

providing a unitary floatation element having a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range and a plurality of raised portions integrally carried by said backsheet for providing enhanced buoyancy to strategically selected areas of the wearer's body;

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element

positioning said unitary floatation element at a desired location adjacent said form-fitting torso covering;

securing said unitary floatation element within said element retaining pocket.

14. A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet;

wherein plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

15. A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet;

wherein said retaining pocket includes a sheet of fabric having an indicator dye which bleaches upon exposure to the elements to notify the wearer of degradation of the swimsuit components.

Clean Copy of All Pending Claims

1. (Amended) A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket, a right arm covering, a left arm covering, a left leg covering, and a right leg covering;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

2. The floatation swimsuit of Claim 1, wherein said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

4. The floatation swimsuit of Claim 1, wherein said plurality of raised portions

~~include an upper torso portion and a lower torso portion.~~



5. (Amended) A unitary floatation element for use in a floatation swimsuit, said floatation element comprising:

a backsheet contained within a torso covering including a right arm covering, a left arm covering, a left leg covering, and a right leg covering, said backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer;

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet

wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

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6. The floatation swimsuit of Claim 5, wherein said plurality of raised portions include an upper torso portion and a lower torso portion.

7. A floatation swimsuit comprising:

a form-fitting torso covering including a right arm covering, a left arm covering, a left leg covering, and a right leg covering, said form-fitting torso covering including a distributed layer of buoyant material distributed substantially throughout for providing general buoyancy to the wearer, said distributed layer of buoyant material having

a thickness in a first particular range; and

a plurality of enhanced buoyancy regions integrally carried by said distributed layer of buoyant material in fixed positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said enhanced buoyancy regions comprising a buoyant material having a thickness substantially greater than that of said distributed layer of buoyant material and extending outwardly therefrom.

8. The floatation swimsuit of Claim 7, wherein said plurality of raised portions include an upper torso portion and a lower torso portion.

9. The floatation swimsuit of claim 7, further comprising a fastenable torso opening.

10. The floatation swimsuit of claim 9, wherein said fastenable torso opening includes a fastenable chest opening.

11. The floatation swimsuit of claim 9, wherein said fastenable torso opening includes a fastenable back opening.

12. The floatation swimsuit of claim 9, where said fastenable torso opening includes a fastener selected from the group consisting of a zipper, a hook and loop fastener, a button, a snap, a tie, and a strap.

13. (Amended) A method of manufacturing a floatation swimsuit comprising the steps of:

providing a form-fitting torso covering having an element retaining pocket, a right arm covering, a left arm covering, a left leg covering, and a right leg covering;

providing a unitary floatation element having a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range and a plurality of raised portions integrally carried by said backsheet for providing enhanced buoyancy to strategically selected areas of the wearer's body;

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wherein said plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element

positioning said unitary floatation element at a desired location adjacent said form-fitting torso covering;

securing said unitary floatation element within said element retaining pocket.

14. (Allowed) A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet;

wherein plurality of raised portions include an upper torso portion and a lower torso portion and said retaining pocket includes a sheet of fabric, said sheet of fabric being laminated to the outwardly disposed surface of said unitary floatation element to ensure that said fabric sheet closely matches the contours of said backsheet and enhanced buoyancy regions of said unitary floatation element.

15. (Allowed) A floatation swimsuit comprising:

a form-fitting torso covering, said form-fitting torso covering including a retaining pocket;

a unitary floatation element for retention by said retaining pocket, said unitary floatation element including:

a backsheet comprising a layer of buoyant material having a thickness within a first predetermined range for providing general buoyancy to a wearer, said backsheet including an inner surface for presentation toward a wearer and an outer surface for presentation away from a wearer; and

a plurality of raised portions integrally carried by said backsheet in fixed relative positions for providing enhanced buoyancy to strategically selected areas of the wearer's body, each of said raised portions comprising a buoyant material having a thickness substantially greater than that of said backsheet and each of said raised portions extending outwardly from said outer surface of said backsheet;

wherein said retaining pocket includes a sheet of fabric having an indicator dye which bleaches upon exposure to the elements to notify the wearer of degradation of the swimsuit components.